



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 19, 1993

Ms. Gretchen Kuehn Bohnert  
Assistant City Attorney  
City of Houston  
P.O. Box 1562  
Houston, Texas 77251-1562

OR93-187

Dear Ms. Bohnert:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 18798.

The City of Houston (the "city") has received a request for information regarding city speed limit signs. Specifically the requestor seeks "the date the speed limit signs [were] put up . . . at the corner[] of Alabama and Ennis." You contend that any such information is protected from public disclosure by section 3(a)(3) of the Open Records Act.

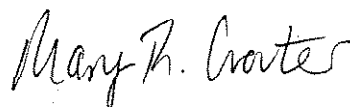
We have reviewed the information submitted with your request. A letter from the Traffic and Transportation Division of the city states that the division was "not [ ] able to locate any documentation on when existing Speed Limit 30 mph signs were installed." In response to an open records request, a governmental body is not required to create information that does not already exist. Open Records Decision No. 572 (1990). Nor is a governmental body required to apply a request to information prepared after the request was made. Open Records Decision No. 452 (1986) at 2-3. Given the Traffic and Transportation Division's representation that no responsive information exists,<sup>1</sup> we have no basis to address your contention that such information would be excepted from public disclosure under the act.

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<sup>1</sup>The Traffic and Transportation Division's letter was prepared *after* the request was made and is therefore not subject to this request. Open Records Decision No. 452 (1986). None of the other material you submitted states the date on which the speed limit signs at issue were posted.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR93-187.

Yours very truly,

A handwritten signature in cursive script that reads "Mary R. Crouter".

Mary R. Crouter  
Assistant Attorney General  
Opinion Committee

MRC/LBC/mc

Ref.: ID# 18798

cc: Ms. Joycelyn Y. Kelly  
12603 South Coast Drive  
Houston, Texas 77047  
(w/o enclosures)